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5 Attorney for Debtor

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9 **UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

10 In re  
11 Majid Marhamat

12  
13 Debtor.  
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15

Case No. 10-59396  
Chapter 7

**DECLARATION OF MAJID MARHAMAT,**  
**DEBTOR, IN SUPPORT OF**  
**MOTION TO AVOID JUDICIAL LIEN**  
**UNDER 11 U.S.C. §522 (f)(1)(A)**  
(Lawrence Wu and Melea Men)

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18 I, Majid Marhamat, am the Debtor in the above captioned Chapter 7 case and make this  
19 Declaration in support of the Motion to Avoid Judicial Lien. I am over the age of 18 years and if  
20 called upon to testify as to the statements made herein I would be competent to testify to them. I  
21 make the following declaration under penalty of perjury based upon my own personal knowledge.

22 1. I filed a Chapter 7 petition for relief pursuant to Title 11 of the U.S. Bankruptcy  
23 Code under the above referenced bankruptcy case number 10-59396 on September 9, 2010.

24 2. I bring this Motion to Avoid Judicial Lien Under 11 U.S.C. §522 (f)(1)(A)  
25 seeking an order from the Court avoiding the judicial lien(s) held by the creditors, Lawrence Wu and  
26 Melea Men, which impairs my homestead exemption to which I would otherwise be entitled under  
27 California law.  
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1           3.           Among the assets I own are my residence located at 18394 Montpere Way,  
2           Saratoga, CA 95070-4746 (hereinafter "Property"), which is a dwelling listed on Schedule A. I hold  
3           title to the Property.

4           4.           On or about August 20, 2008, Stephen R. Oliver, Esq. of Oliver & Stephenson, on  
5           behalf of Lawrence Wu and Melea Men, obtained a judicial lien on the Property. This judicial lien is  
6           entered into record in the County of Santa Clara as follows:

7                       Plaintiff                       Lawrence Wu and Melea Men

8                       Defendant                       Majid M. Marhamat

9                       Basis                       Judgment

10                      Amount                      \$267,859.38

11                      Case No.                      106cv067705 Santa Clara County Superior Court

12                      Recorder's Number: 19960842 on August 20, 2008

13           5.           I estimate the fair market value of the subject real property at the time of this  
14           bankruptcy petition filing was no more than \$795,000.00 (See Amended Schedule A attached to the  
15           Motion).

16           6.           At the time of this petition filing, the Property was encumbered by a first lien with  
17           Bank of America in the approximate amount of \$563,000; a second lien with GreenPoint Mortgage  
18           Funding in the approximate amount of \$196,000.

19           7.           I believe and therefore allege that the judicial lien entered by Lawrence Wu and Melea  
20           Men in the amount of \$267,859.38 impairs my Homestead Exemption, to which I am entitled and  
21           therefore, should be avoided.

22           WHEREFORE, I ask that this Court issue an Order avoiding the judicial lien of Lawrence  
23           Wu and Melea Men.

24           Date: August 17, 2017

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26           /s/ Majid Marhamat  
27           Majid Marhamat  
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